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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/713,909	11/16/2000	Peter Mathieson Craig	SMB-2-0905	4960

7590 03/03/2005
James W McKee
Fay Sharpe Beall Fagan Minnich & McKee LLP
1100 Superior Avenue 7th Floor
Cleveland, OH 44114-2518

EXAMINER

CHIANG, JACK

ART UNIT PAPER NUMBER

2642

DATE MAILED: 03/03/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 09/713,909	Applicant(s) CRAIG, PETER MATHIESON	
	Examiner Jack Chiang	Art Unit 2642	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 11-01-04.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-11 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-11 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
 Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

CLAIMS

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

2. Claims 1-11 are rejected under 35 U.S.C. 102(e) as being anticipated by Tharp et al. (US 6174190).

Regarding claims 1-2, Tharp shows:

Male and female connectors (5, 18);

The male connector (5) having a main body (12) and a tongue (16);

The female connector (18) having a groove (for 5);

The tongue (16) having shoulder means (24) contacting with abutment means (col. 3, lines 42-44) in the female connector (18);

An actuator (55) having an attachment portion (94) and an operative portion (90-92), the operative portion (90) extends adjacent the tongue (16) and projects out (see 92) of the recess far enough to be manipulated so as to move the tongue (16) to break contact between the shoulder means (24) and the abutment means (col. 3, lines 42-44).

Regarding claims 3-11, Tharp shows:

The attachment portion (94) which is substantially rectangular;

The operative portion is a strap (90-92);

the actuator is lodged onto the abutment means of the female connector (see 90 which is inside the female connector 18 in fig. 8);

and the material for this type of actuator housing is a personal preference as long as it can carry out the its function.

3. Claims 1-11 are rejected under 35 U.S.C. 102(b) as being anticipated by Tsuji et al. (US 5330366).

Regarding claims 1-2, Tsuji shows:

Male and female connectors (B, A);

The male connector (B) having a main body (body B) and a tongue (12);

The female connector (A) having a groove (between 1 and 4);

The tongue (12) having shoulder means (see 14) contacting with abutment means (5) in the female connector (A);

An actuator (C) having an attachment portion (6, 8, 11) and an operative portion (7), the operative portion (7) extends adjacent the tongue (12) and projects out (see fig. 6) of the recess far enough to be manipulated so as to move the tongue (12) to break contact between the shoulder means (14) and the abutment means (5).

Regarding claims 3-11, Tsuji shows:

The attachment portion (see 6) which is substantially rectangular;

The operative portion is a strap (7);

the actuator (C) is lodged onto the abutment means of the female connector (see fig. 6);

and the material for this type of actuator housing is a personal preference as long as it can carry out the its function.

ARGUMENT

4. In response to the remarks filed on 11/01/04, in the rejection under Tsuji, applicant first argues that "... regard to Tsuji et al, the examiner equates item 12 of that reference with the tongue of the present application..... According to page 4 of the application, 'a tongue 32 projects from the bottom wall 30 of the male connector 22. The tongue 32 has a relatively narrow end portion 34 and a relatively wide mounting portion 36.' The tongue of Tsuji does not conform to this configuration.". In response to this argument, the examiner just can't find such description in the claims.

In the rejection under Tharp, applicant argues that Tharp's operation portion (item 90) is not adjacent to the tongue (item 16). The examiner disagrees. First, it is not seen how applicant's operation portion and tongue differ from the Tharp reference. In applicant's application, the operation portion is identified as 74, and the tongue is identified as 32, both of these elements have many sections, the tip of 74 is even extended out and away from the tip of 32, but they are certainly considered as adjacent

to each other. This is also applied to Tharp, the operation portion and the tongue have many sections, but they are adjacent to each other, otherwise, how can this operation portion directly work with the tongue in Tharp?

In pages 2-3, about the 131 Declaration, applicant argues that "reasonable diligence is all that is required....". First, there is no diligence at all in the 131 Declaration, see also comments in 06-03-04.

5. Applicant's arguments filed 11-01-04 have been fully considered but they are not persuasive. See rejections and argument above.

6. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

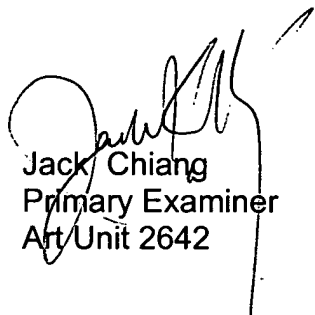
A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jack Chiang whose telephone number is 703-305-4728. The examiner can normally be reached on Mon.-Fri. from 8:00 to 6:30.

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ahmad Matar, can be reached on (703) 305-4731. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9314.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-305-4700.



Jack Chiang
Primary Examiner
Art Unit 2642